

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

GLOBAL PAYMENTS
DIRECT, INC.,

Plaintiff,

vs.

INTELLIGENT PAYMENTS,
LLC, INTELLIGENT
CONTACTS, INC., JEFFREY
KENDALL MAINS and JOHN
WESLEY SHUTT,

Defendants.

Civil Action No.
1:14-cv-02634-LMM

MOTION TO REOPEN ADMINISTRATIVELY CLOSED CIVIL ACTION

By this motion, Intelligent Payments, LLC (“Intelligent”) seeks to redress an error with the Consent Motion to Dismiss with Prejudice (“Motion”) that was granted by the Court. The Motion did not include dismissal of Intelligent’s third-party claims. The Motion was only directed to dismiss the claims vis-à-vis Intelligent and Global Payments Direct, Inc.

Specifically, on February 19, 2016, Plaintiff filed a Consent Motion to Dismiss with Prejudice. (Docket No. 44.) On February 22, the Court entered an Order granting Plaintiff's Motion. (Docket No. 45.)

The Motion, however, only concerned the claims between Plaintiff and Intelligent. The Motion did not include the third-party claims that Intelligent has filed.

The “termination” of the case was an error and should be corrected so as not to prejudice Intelligent’s third-party claims. Intelligent’s claims remain pending and no party has sought to or suggested that dismissal of those claims is appropriate as a result of the settlement between Plaintiff and Intelligent.

Wherefore, Intelligent moves this Court to re-open this action because the administrative closing of this civil action was premature and contrary to its rights as to the third-party claims.¹

Respectfully submitted this 11th day of March, 2016.

/s/ Reza Sina

Reza Sina

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¹ Pursuant to Local Rule 7.1D, Intelligent certifies that this brief has been prepared with one of the font and point selections approved by the Court in Local Rule 5.1C.

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CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2016, I electronically filed **MOTION TO REOPEN ADMINISTRATIVELY CLOSED CIVIL ACTION** with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to the following attorneys of record or via U.S. First Class Mail, where indicated:

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